

Information Privacy and Security Council
*Subcommittee to Develop a Recommendation for Legislative Amendments
Addressing Found Media Sanitation*

Proposed Amendments to HRS Section 53D-14

[§52D-14] Duty and right of finders. (a) Except as provided in section 261-17.7, all money or property found shall be reported or delivered by the finder to the chief of police of the county. When so delivered, it shall be held by the chief of police for forty-five days or until claimed by some person who establishes title or right of custody thereto to the satisfaction of the chief of police. If title or right of custody is established, the money or property shall be delivered to the claimant by the chief of police.

(b) If no claim is made or no such right is established within the forty-five days, the money or property shall be returned to the person who delivered it to the chief of police, except as provided in subsection (c); provided that if the person who delivered it to the chief of police fails to claim the money or property within thirty days after being notified by the chief of police that the person is entitled to possession, the chief of police shall dispose of the money or property in accordance with the procedures established in section 52D-10. For the purpose of this section, notice by regular mail to the person's last known address shall be sufficient.

(c) An electronic device that allows for storage of personal information, as defined by section 487N-1, shall be sanitized in accordance with national standards to ensure deletion or removal of personal information prior to returning the device to the finder. If deletion or removal of personal information is not possible or cannot be verified without unreasonable expense, the device shall be destroyed in a manner sufficient to eliminate the information, prior to disposal or recycling. The chief of police shall notify the finder that the device was destroyed and disposed of or recycled because personal information could not be deleted.